



ATTORNEY DOCKET NO.: JC-6856-C

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
HSU, CHIA-LIN; TSAI, TENG-
CHUN; WEI, YUNG-TSUNG; AND
CHEN, HSUEH-CHUNG

Serial No.: 09/802,048

Filed: MARCH 8, 2001

For: METHOD OF FABRICATING A
DAMASCENE STRUCTURE

Group Art Unit: 2814

Examiner: RAO, SHRINIVAS H

Handwritten: #8 RCE
Ch. Bruner
3/6/02
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Box RCE
Commissioner for Patents
Washington, D.C. 20231

**REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.R.F. 1.14)**

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

02/24/2003 SSITHIB1 00000021 09802048

01 FC:1801

750.00 DP

CERTIFICATE OF MAILING

I hereby certify that this paper or fee (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to: Box RCE, Commissioner for Patents, Washington, D.C. 20231

[X] 37 CFR 1.8(a)
with sufficient postage as first class mail.

[] 37 CFR 1.10
as "Express Mail Post Office to Addressee"
Mailing label no.: _____

Date: February 12, 2003

Handwritten signature of Mary Kim

Mary Kim

TIME REQUEST IS BEING MADE

2. This request is being submitted:
- i. ☒ Prior to abandonment of the application
 - ii. ☐ Payment of the issue fee
 - ☐ Prior to payment of the issue fee
 - ☐ Issue fee has been paid but a petition under \$ 1.313 has been granted
 - iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
 - ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
 - iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or ☐ Commencement of a civil action under 35 U.S.C. 146
 - ☐ Prior to the filing of such appeal or commencement of civil action
 - ☐ Such appeal or commencement of civil action has been terminated

ENCLOSURES

3. Enclosed herewith is/are:
- ☐ An information disclosure (37 C.F.R. § 1.98)
 - ☐ Form PTO-1449 (PTO/SB/08A and 08B)
 - ☒ A preliminary amendment
 - ☐ New arguments
 - ☐ New evidence in support of patentability
 - ☐ Other:

FEE FOR REQUEST (37 C.F.R. § 1.17 (e))

4. This application is on behalf of:
- ☐ Small entity (and status is still as small entity)...\$375
 - ☒ Other than a small entity.....\$750

Continued Prosecution Request Fee \$ 750.00

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

CLAIMS AS FILED			
Number filed (claims remaining after amendment minus highest no. previously paid for)	Number Extra	Rate	Additional Fee
Total Claims 37 CFR 1.16(c) (<u>20</u> - <u>20</u> = <u>0</u>)		x\$9	0
Indep. Claims 37 CFR 1.16(b) (<u>3</u> - <u>3</u> = <u>0</u>)		x\$42	0
Multi dep claim(s), if any 37 CFR 1.16(d)		+\$140	0

(c) ☒ No additional fee is required.

OR

(d) ☐ Total additional fee required is \$_____.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

(a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

Extension for (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input checked="" type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Fee: \$ 930.00

If an additional extension of time is required, please consider this a petition therefor.

- ☐ An extension for _____ months has already been secured, and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

OR

- ☐ Applicant believes that no extension of time is required. However, that is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension time.

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

Continued Prosecution Fee (\$ 1.17(e))	\$ 750.00
Fee(s) for additional claims (if any) (\$1.16(b)-(d))	\$ 0.00
Extension of time fee (if any) (\$ 1.17(a)(1)-(4))	\$ 930.00
Total Fee(s) Due	\$ 1,680.00

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

<input checked="" type="checkbox"/> Checks are attached for the sum of	\$ 750 + 930
<input type="checkbox"/> Charge Account 500314 the sum of	\$ _____
<input type="checkbox"/> Charge Credit Card the sum of	\$ _____

(Credit Card Payment Form (PTO-2038) attached)

Please charge any required additional fee(s) for \$ 1.17(e), \$ 1.16(b)-(d) and/or \$ 1.17(a)(1)-(4) to

<input checked="" type="checkbox"/> Account 500314
<input type="checkbox"/> Credit Card (Credit Card Payment Form (PTO-2038) attached)

INVENTORSHIP

9. This application as amended names as inventors:
☒ the same

☐ fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.

☐ a person not named previously as an inventor and a petition under 37 C.F.R. § 1.48 is/has separately:

☐ being filed ☐ been filed

Dated: February 12, 2003

Respectfully submitted,



Charles C.H. Wu

Reg. No. 39,081

Attorney for Applicant

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RCE/2814
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Application No.: 09/802,048

Filed: March 8, 2001

For: METHOD OF FABRICATING
DAMASCENE STRUCTURE

Applicant: Hsu et al.

Examiner: Shrinivas Rao

Art Unit 2814

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box RCE, Commissioner for Patents, Washington, D.C. 20231, on Feb. 12, 2003.

Cum gratia

#98 Aust
M. Baur
3/4/03

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Preliminary Amendment

Box RCE
Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to the examination on merits, please amend the above-identified application as follows:

In The Claims

Please substitute the following clean copy text for pending claims of the same number:

Sub
C'

B1

1. (Amended) A method of fabricating a damascene structure, comprising:
providing a substrate;
forming a dielectric layer on the substrate;
defining the dielectric layer to form an opening, wherein a portion of the substrate is exposed by the opening;
forming a barrier layer conformal to a profile of the opening;
forming a metal layer over the substrate, wherein the metal layer fills the opening and covers the dielectric layer;